




**COUNCIL PRESIDENT SCOTT PETERS
FIRST DISTRICT**

MEMORANDUM

DATE: November 27, 2007
TO: Honorable City Council Members
FROM: Council President Scott Peters 
SUBJECT: Appointment of Committee Assignments for 2008 (Corrected)

It is my pleasure to announce my committee assignment appointments for 2008. On December 3, 2007 the Council is expected to vote on the confirmation of the following committee assignment appointments:

Council President Pro Tem Jim Madaffer

Committee on Rules, Open Government, and Intergovernmental Relations

Chair: Councilmember Jim Madaffer
Vice Chair: Council President Scott Peters
Members: Councilmember Donna Frye
Councilmember Ben Hueso
Councilmember Tony Young

On the advice of the City Attorney, the City Council may establish a temporary rule of council to make the chair of the Rules, Open Government and Intergovernmental Relations a Councilmember other than the Council President. This will require five affirmative votes.

Committee on Land Use and Housing

Chair: Councilmember Ben Hueso
Vice Chair: Councilmember Jim Madaffer
Members: Councilmember Toni Atkins
Councilmember Brian Maienschein

Committee on Natural Resources and Culture

Chair: Councilmember Donna Frye
Vice Chair: Councilmember Kevin Faulconer
Members: Councilmember Toni Atkins
Council President Scott Peters

Committee on Public Safety and Neighborhood Services

Chair: Councilmember Tony Young
 Vice Chair: Councilmember Brian Maienschein
 Members: Councilmember Ben Hueso
 Councilmember Kevin Faulconer

Committee on Budget and Finance

Chair: Councilmember Toni Atkins
 Vice Chair: Councilmember Kevin Faulconer
 Members: Councilmember Donna Frye
 Councilmember Jim Madaffer
 Councilmember Ben Hueso

Committee on Audit

Chair: Councilmember Kevin Faulconer
 Vice Chair: Councilmember Tony Young
 Member: Councilmember Toni Atkins

In addition, I propose that under Permanent Rule of Council Rule 9 (Temporary Rules), the City Council form an Ad Hoc Committee on Fire Prevention and Recovery consisting of three Councilmembers to be named in the same manner as any standing committee of the council. The duration of the temporary rule and Committee will be in effect for one year. Under Rule 9, temporary rules can be established by a City Council resolution. The Committee, Chaired by Councilmember Brian Maienschein, will work closely with the Mayor, Department of Homeland Security and safety agencies to assemble data and experience from the 2003 and 2007 wildfires, coordinate resources to bolster fire preparedness and response within the City of San Diego, and other work the committee identifies. I appoint the following Councilmembers to this committee:

Ad Hoc Committee on Fire Prevention and Recovery

Chair: Councilmember Brian Maienschein
 Vice Chair: Councilmember Jim Madaffer
 Member: Council President Scott Peters

In addition to a committee consultant, this new Committee will be assisted by a member of the IBA staff, who will provide research, analysis and other professional support.

Thank you for your time and attention.

cc: Honorable Mayor Jerry Sanders
 Honorable City Attorney Mike Aguirre
 Andrea Tevlin, IBA
 City Clerk Liz Maland

002137

REQUEST FOR COUNCIL ACTION

CITY OF SAN DIEGO

 CERTIFICATE NUMBER
(FOR AUDITOR'S USE ONLY)

TO: CITY ATTORNEY
 2. FROM (ORIGINATING DEPARTMENT): Council President Scott Peters
 3. DATE: 11/14/2007

4. SUBJECT: APPOINTMENT OF COUNCIL PRESIDENT PRO TEM AND CITY COUNCIL COMMITTEE ASSIGNMENTS FOR CALENDAR YEAR 2008

5. PRIMARY CONTACT (NAME, PHONE & MAIL STA.) Betsy Kinsley, 236-6687, MS 10A
 6. SECONDARY CONTACT (NAME, PHONE & MAIL STA.) Christina Cameron, 236-6611, MS 10A
 7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED ☐

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND					9. ADDITIONAL INFORMATION / ESTIMATED COST:
DEPT.					
ORGANIZATION					
OBJECT ACCOUNT					
JOB ORDER					
C.I.P. NUMBER					
AMOUNT					

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIGINATING DEPARTMENT	<i>Elizabeth Kinsley</i> ELIZABETH KINSLEY, CHIEF OF STAFF	11/27/07	8	DEPUTY CHIEF		
2	AUDITOR AND COMPTROLLER			9	COO		
3	EAS			10	CITY ATTORNEY		
4	LIAISON OFFICE			11	ORIGINATING DEPARTMENT	<i>Elizabeth Kinsley</i> ELIZABETH KINSLEY, CHIEF OF STAFF	11/27/07
6				DOCKET COORD: _____ COUNCIL LIAISON: _____ <input checked="" type="checkbox"/> COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input type="checkbox"/> CONSENT <input checked="" type="checkbox"/> ADOPTION <i>MS</i> <input type="checkbox"/> REFER TO: _____ COUNCIL DATE: 12/3/07			
7							

11. PREPARATION OF: ☐ RESOLUTION(S) ☐ ORDINANCE(S) ☐ AGREEMENT(S) ☐ DEED(S)

- 1) Appointing a Council President Pro Tem for Calendar Year 2008
- 2) Appointing City Councilmembers to Council Committees for Calendar Year 2008
- 3) ~~Suspension of the Permanent Rules of Council to make the Chair of the Rules, Open Government and Intergovernmental Relations a Councilmember other than the Council President~~
- 3) Invoking Permanent Rule of Council Rule 9 (Temporary Rules) to make the Chair of the Rules, Open Government and Intergovernmental Relations a Councilmember other than the Council President
- 4) Invoking Permanent Rule of Council Rule 9 (Temporary Rules) to form an Ad Hoc Committee on Fire Prevention and Recovery consisting of three Councilmembers to be in effect for one year.
- 5) Adding one committee consultant position to staff the Ad Hoc Committee on Fire Prevention and Recovery, effective pending review by the Civil Service Commission. Funding of \$40,000 is required, which will include salary and fringe for the balance of FY 2008. The funds will be taken from the FY 2008 appropriated reserve.
- 5) 6) Direct City Attorney to draft appropriate resolutions.

Please see attached nominating memorandum from Council President Peters, dated November 19, 2007 and corrected memo, dated November 27, 2007.

11A. STAFF RECOMMENDATIONS:

12. SPECIAL CONDITIONS:

COUNCIL DISTRICT(S): CITYWIDE

COMMUNITY AREA(S):

ENVIRONMENTAL IMPACT: THIS ACTIVITY IS NOT A "PROJECT" AND IS THEREFORE NOT
SUBJECT TO CEQA PER CEQA GUIDELINES SECTION 15060(C)(2).

HOUSING IMPACT: NONE

OTHER ISSUES:

337
118

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 2800468

ORIGINATING

DEPT. NO.: 030

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \$40,000.00 Fund: 100

Purpose: For the proposed Council action to modify the Council Administration Department's budget.

Date: December 20, 2007 By: 

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	100	602		48818	000602				\$40,000.00
TOTAL AMOUNT										\$40,000.00

FUND OVERRIDE ☐

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: _____

Vendor: _____

Purpose: _____

Date: _____ By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE ☐

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE AMENDING ORDINANCE NO. O-19652 (NEW SERIES) ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 2008 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR" BY ADDING A COMMITTEE CONSULTANT POSITION AND TRANSFERRING \$40,000 FROM THE FY 2008 APPROPRIATED RESERVE TO FUND THE POSITION.

WHEREAS, on July 30, 2007, the City Council adopted Ordinance No. O-19652 [Appropriation Ordinance]; and

WHEREAS, an amendment to the Appropriation Ordinance is necessary to add a Committee Consultant position to staff the Ad Hoc Committee on Fire Prevention and Recovery and transfer funds to Council Administration to fund the position; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the Auditor and Controller is authorized to add 1.0 position to the Council Administration (Dept. 029) and to transfer, appropriate, and expend \$40,000 from the FY 2008 appropriated reserve to the Council Administration (Dept. 029) for a Committee Consultant position to staff the Ad Hoc Committee on Fire Prevention and Recovery.

Section 2. That Ordinance No. O-19652 (New Series) entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 2008 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year" be and the same is hereby amended by increasing the Council Administration (Dept. 029) by 1.0 position and \$40,000 for salary and fringe for the balance of FY 2008.

Section 3. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

Section 4. This ordinance is declared to take effect and be in force immediately upon its final passage after two public hearings pursuant to the authority contained in sections 71, 275 and 295 of the Charter of the City of San Diego.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Catherine M. Bradley
Catherine M. Bradley
Chief Deputy City Attorney

CMB:jab
11/29/2007
Or.Dept:CouncilPresident
O-2008-78

I hereby certify that the following Ordinance was passed by the Council of the City of San Diego, at its meeting of _____.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN DIEGO SELECTING THE COUNCIL PRESIDENT PRO
TEM FOR CALENDAR YEAR 2008.

WHEREAS, San Diego Charter section 270(d) provides that the City Council shall have the right to determine its own rules and order of business; and

WHEREAS, Rule 4.3 of the Permanent Rules of the City Council, San Diego Municipal Code section 22.0101.5, provides that the Council President shall, no later than the second meeting of the Council in January of each year, select a Council President Pro Tem, subject to confirmation by a majority of the City Council, to serve for a term of one year and until a successor is selected and qualified; and

WHEREAS, on November 13, 2007, the City Council adopted Resolution No. R-303172, selecting Councilmember Scott Peters as Council President for a third term commencing on January 1, 2008; and

WHEREAS, the Council President-elect has selected Councilmember Jim Madaffer to serve as Council President Pro Tem for a term commencing on January 1, 2008; and

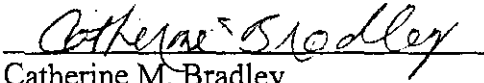
WHEREAS, under Charter section 280(a)(1) this resolution is not subject to veto by the Mayor because this matter is exclusively within the purview of the City Council and not affecting the administrative service of the City under the control of the Mayor; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that pursuant to section 22.0101.5 of the San Diego Municipal Code, the selection by the Council President-elect of

Councilmember Jim Madaffer to serve as Council President Pro Tem for the period commencing January 1, 2008, and ending December 8, 2008, is hereby confirmed.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By


Catherine M. Bradley
Chief Deputy City Attorney

CMB:als

11/23/07

Or.Dept:Council President Peters

R-2008-472

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN DIEGO CONFIRMING APPOINTMENTS TO THE
STANDING COMMITTEES FOR CALENDAR YEAR 2008.

WHEREAS, San Diego Charter section 270(d) provides that the City Council shall have the right to determine its own rules and order of business; and

WHEREAS, Rule 6.1 of the Permanent Rules of the City Council, San Diego Municipal Code section 22.0101.5, provides that there shall be five standing committees of the City Council; and

WHEREAS, Rule 6.2.1 provides that for each committee, except for the Committee on Rules, Open Government, and Intergovernmental Relations [Rules Committee], the Council President shall, no later than the second meeting of the Council in January of each year, nominate the committee Chair, vice-chair, and committee members, subject to confirmation by a majority vote of the City Council; and

WHEREAS, the Council has adopted temporary Rule 6.11.1, that states that the Council President Pro Tem shall serve as the Chair of the Rules Committee and that the Council President shall serve as the Vice-Chair; and

WHEREAS, the Council has adopted temporary Rule 6.11.7 to create an Ad Hoc Committee on Fire Prevention and Recovery, to be in effect for one year; and

WHEREAS, on November 13, 2007, the City Council adopted Resolution No. R-303172, selecting Councilmember Scott Peters as Council President for a third term commencing on January 1, 2008; and

WHEREAS, the Council President-elect has submitted nominations for each committee Chair, vice-chair, and committee members, for a term commencing on January 1, 2008; and

WHEREAS, under Charter section 280(a)(1) this resolution is not subject to veto by the Mayor because this matter is exclusively within the purview of the City Council and not affecting the administrative service of the City under the control of the Mayor; NOW, THEREFORE,

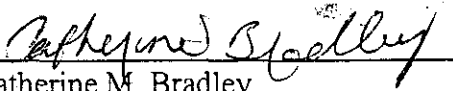
BE IT RESOLVED, by the Council of the City of San Diego, that pursuant to section 22.0101.5 of the Municipal Code of the City of San Diego, the following appointments by the Council President-elect to serve as Chairs, vice-chairs, and committee members of the five standing Council committees for terms commencing January 1, 2008, and lasting until December 8, 2008, be and the same are hereby confirmed:

Committee on Rules, Open Government, and Intergovernmental Relations CHAIR: VICE CHAIR: MEMBERS:	Councilmember Jim Madaffer Council President Scott Peters Councilmember Donna Frye Councilmember Ben Hueso Councilmember Tony Young
Committee on Land Use and Housing CHAIR: VICE CHAIR: MEMBERS:	Councilmember Ben Hueso Councilmember Jim Madaffer Councilmember Toni Atkins Councilmember Brian Maienschein
Committee on Natural Resources and Culture CHAIR: VICE CHAIR: MEMBERS:	Councilmember Donna Frye Councilmember Kevin Faulconer Council President Scott Peters Councilmember Toni Atkins

Committee on Public Safety and Neighborhood Services	CHAIR: Councilmember Tony Young VICE CHAIR: Councilmember Brian Maienschein MEMBERS: Councilmember Ben Hueso Councilmember Kevin Faulconer
Committee on Budget and Finance	CHAIR: Councilmember Toni Atkins VICE CHAIR: Councilmember Kevin Faulconer MEMBERS: Councilmember Donna Frye Councilmember Jim Madaffer Councilmember Ben Hueso
Committee on Audit	CHAIR: Councilmember Kevin Faulconer VICE CHAIR: Councilmember Tony Young MEMBERS: Councilmember Toni Atkins
Ad Hoc Committee on Fire Prevention and Recovery	CHAIR: Councilmember Brian Maienschein VICE CHAIR: Councilmember Jim Madaffer MEMBERS: Council President Scott Peters

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By


Catherine M. Bradley
Chief Deputy City Attorney

CMB:als

11/26/07

Or.Dept: Council President Peters

R-2008-473

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ESTABLISHING A TEMPORARY RULE TO MAKE THE CHAIR OF THE RULES, OPEN GOVERNMENT AND INTERGOVERNMENTAL RELATIONS THE COUNCIL PRESIDENT PRO TEM.

WHEREAS, Rule 9 of the Permanent Rules of the Council permits temporary rules to be established, that shall supersede a permanent rule for the time period as may be specified in the temporary rule; and

WHEREAS, Rule 6.11.1 provides that the Council President shall serve as a permanent chair of the Rules Committee and the Council President Pro Tem shall serve as vice chair of the Rules Committee; and

WHEREAS, the Council President has recommended that the City Council establish a temporary rule to provide that the President Pro Tem shall serve as the chairperson of the Rules Committee and the Council President serve as the vice-chair; and

WHEREAS, under Charter section 280(a)(1) this resolution is not subject to veto by the Mayor because this matter is exclusively within the purview of the City Council and not affecting the administrative service of the City under the control of the Mayor; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the following temporary rule is hereby adopted:

Rule 6.11.1 Committee on Rules, Open Government and Intergovernmental**Relations** [new text underlined]

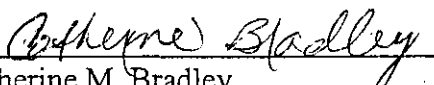
(a) The Committee on Rules, Open Government and Intergovernmental Relations (herein referred to as the Rules Committee) shall be composed of five voting members, the President, the President Pro Tem, and three other Councilmembers.

The President Pro Tem shall serve as the Chair and the President shall serve as the Vice-Chair.

(b) through (c) [no change in text.]

BE IT FURTHER RESOLVED, that the above temporary rule shall be effective and supercede Permanent Rule 6.11.1 from adoption and continuing until December 8, 2008 or until such time that the Permanent Rules of the City Council are amended to incorporate the subject matter addressed in the temporary rule.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Catherine M. Bradley
Chief Deputy City Attorney

CMB:als
11/26/07
Or.Dept:Council President Peters
R-2008-476

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
DIEGO ESTABLISHING A TEMPORARY RULE OF COUNCIL
TO FORM AN AD HOC COMMITTEE ON FIRE PREVENTION
AND RESTORATION.

WHEREAS, Rule 9 of the Permanent Rules of the Council permits temporary rules to be established, that have the effect, for the time being, of a standing rule; and

WHEREAS, the Council desires to temporarily amend the Permanent Rules of the Council by amending Rule 6.1 and adding Rule 6.11.7 to add a committee entitled "Ad Hoc Committee on Fire Prevention and Restoration;" and

WHEREAS, under Charter section 280(a)(1) this resolution is not subject to veto by the Mayor because this matter is exclusively within the purview of the City Council and not affecting the administrative service of the City under the control of the Mayor; NOW,
THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the following temporary rules to be known as "San Diego City Council Temporary Rules Establishing the Ad Hoc Committee on Fire Prevention and Recovery" is hereby adopted:

Rule 6.1 Creation of Standing Committees (former Rule 10) [new text underlined]

The Council hereby creates seven standing committees as follows:

- (a) Committee on Rules, Open Government and Intergovernmental Relations (herein referred to as the "Rules Committee")
- (b) Committee on Land Use and Housing
- (c) Committee on Natural Resources and Culture
- (d) Committee on Public Safety and Neighborhood Services

- (e) Committee on Budget and Finance
- (f) Audit Committee
- (g) Ad Hoc Committee on Fire Prevention and Recovery

Rule 6.11.7 Ad Hoc Committee on Fire Prevention and Recovery [all new text]

- (a) The Ad Hoc Committee on Fire Prevention and Recovery shall be composed of three voting Councilmembers.
- (b) The Committee will work closely with the Mayor, Department of Homeland Security and safety agencies to assemble data and experience from the 2003 and 2007 wildfires, coordinate resources to bolster fire preparedness and response within the City of San Diego, and conduct other work the Committee identifies.

BE IT FURTHER RESOLVED, that the above temporary rules shall be effective from passage and continuing until December 8, 2008 or until such time that the Permanent Rules of the City Council are amended to incorporate the subject matter addressed in the temporary rules.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Catherine M. Bradley
Catherine M. Bradley
Chief Deputy City Attorney

CMB:als
11/23/07
Or.Dept:Council President Peters
R-2008-477